ASSOCIATION OF PUBLIC-SAFETY COMMUNICATIONS OFFICIALS-INTERNATIONAL, INC. (APCO) VIRGINIA CHAPTER

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SUBJECT OF

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Dear Virginia Wireless Services Board Member,

As you are aware, at the September meeting of the Virginia Wireless Services Board, the Virginia Chapter of APCO made its concerns of proposed legislative changes known to this Board. Having since had an opportunity to meet with Staff to further discuss these matters and in discussing same with Chapter members, we would like to take this opportunity to update and provide these comments.

We recognize the important work that has been accomplished in the Commonwealth of Virginia and that we are used as a nationwide model for wireless E-911 deployment. As such, we commend those efforts and accomplishments.

The Virginia Chapter of APCO has been involved for many years and worked through the initial legislative process and actually was instrumental in providing input as to the cost recovery and make up of the existing Wireless Board. We hope this information will be taken in the same spirit as to put forth positive comments/recommendations for these continuing technology advances. The proposed language changes clearly appear to remove focus from the initial wireless board's responsibilities to the "enhanced telecommunications services." Such an action that would take this Board's duties and responsibilities out of its original intent as the deployment of E-911 (wireless and wireline) is nearly complete. It remains unclear why such a change is necessary or warranted and the explanation provided does not define the need for such a change on in the expansion of this Board outside of its original charter.

We continue to endorse the original charge that was the deployment of wireless E-911, the remaining wireline E911, and cost recovery for PSAPs and CMRS providers, and public education.

Outlined below are our specific comments and/or positions:

1. Restructuring of the Wireless Funding Process

APCO position: We support the restructuring of the Wireless Funding Process with the changes listed below:

a. A 60/40 initial split in the distribution of funds while insuring every PSAP is funded, today or in the future, no less than their

- current funding. This initial distribution to be based upon today's formulas under any restructuring. To insure equitable PSAP funding, any shortfalls to insure a continuance in equitable PSAP funding should be taken from available monies for grants.
- b. A Grant sub-committee be established and, working with staff, insure the makeup of this committee to reflect representatives from Police, Fire, Sheriff, APCO and NENA professional organizations and that the selection be taken from individuals recommended to serve as put forth by these organizations.
- c. This same Grant sub-committee as identified in (b) above, with staff, recommend guidelines for the submission of Grants and establish criteria for the grant process, being flexibly sufficient to provide 100% funding for necessary upgrades of existing equipment originally purchased for wireless deployment.
- d. Expenditures of the Board should continue to focus on wireless activities.

There are too many inequitables and there is no assurance that every PSAP would receive the funding they received today.

It is obvious from discussions among PSAP managers and local government officials that any increased funding to support the recovery of additional costs borne in providing wireless E-911 services would be welcomed. Proposed changes above reflect concerns expressed as to whether the proposed distribution, combined with any potential changes in growth of the fund, could reduce the funding now received. These potentials might be minimized by increasing the amount of funding available to a minimum of 60%, with the split reviewed and adjusted annually to ensure every PSAP maintains at least the level of funding they received in the 2006 funding year.

In your fiduciary role of administering wireless E-911 funds, you must assure that the funds are being used for their intended purpose; as recipients of public funds, PSAP's and localities must remain accountable for reporting both workload and financial information for audit purposes.

2. Addition of VoIP deployment

"Add the responsibility for VoIP E-911 to the duties of the Board mirroring the role the Board has with the deployment of wireless E-911." (Taken from FY2005 Wireless E-911 Service Board Draft Annual Report)

APCO position: We do not support legislative changes, as proposed.

Any surcharge applicable to VoIP providers (as like to wireline and wireless surcharges) should remain a local issue and funding should follow the guidelines of wireline currently in place.

In light of its potential impact on wireline service volume, we believe that VoIP E-911 should be locally managed and that any future taxation or voluntary payments in lieu thereof by VoIP providers should be routed to localities in a manner similar to wireline funding. The Board's Legislative Committee made the recommendation that VoIP funding remain a local issue and that funding should go directly to the locality. We believe the Board should enhance the recommendation to the Committee and include a written statement in the annual report clearly stating this same position.

3. Statewide IP-based network

"Add the responsibility for the deployment of a statewide IP-based network to the duties of the Board and seek general fund support for this effort." (Taken from FY2005 Wireless E911 Service Board Draft Annual Report)

APCO position: We support with changes noted.

The Statewide IP-based network be developed and managed within the VITA organization within the established initiative that is already procured.

APCO realizes from these discussions that it is the state's goal to move forward with an IP based network that would be utilized to provide access within many platforms in state government. We support the IP based network; however, a this has nothing to do with wireless E-911 or the original charter of the Board and, therefore, we believe there are other agencies within the Commonwealth of Virginia much better equipped to handle these tasks other than the E-911 services Board.

4. Publish Best Practices

"Add the responsibility to publish best practices for PSAPs and wireless service providers utilizing the work of the E-911 professional organizations, when possible." (Taken from FY2005 Wireless E-911 Service Board Draft Annual Report)

APCO position. We support the establishment of Best Practices as modified.

Establish and publish wireless E-911 best practices as it pertains to the deployment and lessons learned from the implementation in the Commonwealth of Virginia.

The Commonwealth of Virginia as leaders in wireless E-911 deployment would be remiss if it did not put forth published best practices. The role of best practices should be limited to wireless and should not encompass other technologies or areas within the PSAP. As such, this would remain in the initial realm of the E-911 Wireless Services Board charter.

Best practices, and like documents, are available for PSAPs and easily accessible in today's climate from numerous organizations that include NFPA (National Fire Protection Association), ASTM (American Society for Testing & Materials), CALEA (Commission for Accreditation on Law Enforcement Agencies, Inc.), NENA (National Emergency Number Association), APCO (Association of Public Safety Communications Officials International, Inc.) and DCJS (Department of Criminal Justice Services).

In addition to the above recommendations, we have received comments from across the Commonwealth concerning the current make-up of the Board. As such, we recommend the make-up of the Board be reevaluated and an additional PSAP member added as well as the professional organizations named in Section 56-484.13 of the Code of Virginia, as amended (including: Virginia Department of Emergency Management (1), Virginia State Police (1), Local Exchange Carrier (1) providing E-911 service, Wireless Service Providers (2), County/City/Town PSAP Directors or Managers (2), Medical Services Manager (1), Finance Officer of County/City/Town (1), Chief of Police (1), Virginia Sheriff (1), Fire Chief (1), and

Emergency Medical Service Manager (1)) should individually put forth the name of their representative to occupy their seat on the Board.

We thank you for the opportunity to present our position on such crucial public safety issues. Together, we can assure that Virginia's citizens receive the levels of service they expect and deserve and that Virginia's public safety communications needs are adequately addressed.

Sincerely,

D. Terry Hall, President Virginia Chapter of APCO

Cc: Virginia Chapter of NENA

Virginia State Sheriffs Association Virginia Fire Chiefs Association

VACO VML

Virginia Police Chiefs Association

Virginia Professional Firefighters

Virginia State Firefighters Association

International Association of arson Investigators/VA Chapter

Virginia Association of Volunteer Rescue Squads

Virginia Association of Governmental EMS Administrators

Virginia Association of HAZ MAT Response Specialists

Virginia Fire Prevention Association

Virginia Fire Service Council

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